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September 4, 2007

Via Email and U. S. Mail

Stephen F. Henry, Esq.
 Mosley & Gearinger LLP
 825 Van Ness Avenue, 4th Floor
 San Francisco, CA 94109-7837

John Earl Duke, Esq.
 Foley Hoag LLP
 155 Seaport Boulevard
 Boston, MA 02210

William Ivar Edlund, Esq.
 Alyson Lewis Huber, Esq.
 Bartko Zankel Tarrant & Miller
 900 Front Street, Suite 300
 San Francisco, CA 94111

Re: Myrick Tantiado v. Power Medical Interventions
 U.S.D.C., Northern District of California, Case No. C 07-02874 CRB MED

Dear Counsel:

As you know, I have been appointed by the District Court to serve as the mediator in this case under the Court's Mediation program. Please be sure to review carefully ADR L.R. 6 which governs the Mediation program. I have attached a resume describing my professional experience.

Pursuant to ADR L.R. 6-6, I will conduct a telephone conference with all counsel before the formal mediation to discuss the following:

- the procedures to be followed;
- the nature of the case;
- appropriate dates for the mediation and anticipated length of the session;
- the parties who must be present under ADR L.R. 6-9 and the parties who need to be present to have a productive mediation session;
- ideas to improve the effectiveness of the mediation session or matters that could pose impediments;
- requirements for your written mediation statements;
- any questions you might have about how I normally conduct mediations; and



Drexel A. Bradshaw, Esq.
 Michael R. Bracamontes, Esq.
 Christopher J. Mead, Esq.
 Scott M. McLeod, Esq.
 Re: Amador v. High Tech High
 September 4, 2007

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➤ any questions you might have about the mediation program.

I anticipate that the telephone conference will last approximately one-half hour. I have set the telephone conference for ***Wednesday, September 12, 2007, at 10:30 a.m.*** My calendar precludes me from scheduling this conference any sooner. *Please call my office within 24 hours after receiving this letter to confirm your availability. If you are not available, please let opposing counsel and me know alternative times within a week of this date when you are available.* Before the telephone conference, please ascertain from your clients and any insurers a selection of dates upon which the mediation may be conducted. The final date that the mediation can be held is ***December 14, 2007***, based on the current scheduling order.

My conflicts check revealed no actual or potential conflicts of interest under 28 U.S.C. § 455(a) and (b), and I am not aware of any other circumstances that would compromise my impartiality or the appearance of impartiality.

I look forward to assisting you on this case.

Sincerely yours,

John A. Koeppel

JAK:vds

cc: Clerk's Office-ADR Unit